

The Eightmile River
Wild & Scenic Coordinating Committee
1066 Saybrook Road, Haddam, CT 06438 ~ (860) 345-8700

January 26, 2010

Paul Stacey
Bureau of Water Protection
Department of Environmental Protection
79 Elm Street
Hartford, CT 06106

Re: Proposed Streamflow Regulations

Dear Mr. Stacey:

The Eightmile River Wild and Scenic Coordinating Committee (ERWSCC) appreciates the opportunity to comment on the proposed Streamflow Regulations. As a Congressionally designated "Wild and Scenic River," we are particularly interested in stream flow and appreciate the importance of better managing it across Connecticut so that at least a minimum level of environmental integrity can be sustained. It is apparent based on a review of the regulations that the Department of Environmental Protection and others have invested considerable effort in an attempt to balance resource protection with human needs.

Water is one of this state's most precious resources and yet it is one that has been taken for granted with unregulated consumption spanning generations. This has resulted in limited water conservation efforts, water shortages, increasing degradation of aquatic habitats and in some instances the disappearance of streams altogether.

Streamflow regulations are necessary to ensure that:

- a fair and balanced approach is taken to future water consumption
- human, agricultural, recreational and wildlife needs are considered
- the connections between surface and groundwater withdrawals and stream-flow-dependent aquatic life cycles are considered
- water resources will be available in the long-term future, not just the next ten, twenty or thirty years

The proposed regulations are scientifically based and therefore provide a solid and unbiased foundation for moving forward. Consideration has been given to the regulated community by providing a phased approach with special consideration for extenuating circumstances. Different classifications of rivers are recognized, with corresponding stream flow requirements. Further, there will be additional opportunity for input during the classification process.


ERWSCC has several specific comments regarding the proposed regulations:

1. These regulations propose generous, some may suggest too generous, exemptions and timeframes for compliance. ERWSCC understands the need to offer a compromise to owners who will be faced with retrofits and will need to phase improvements over time. Until deadlines are established however, it is unlikely that the steps necessary to address existing unregulated usage will begin and ERWSCC urges DEP not to add further exemptions or increase the timeframes. The regulations are long overdue.
2. The classification system proposed includes four categories. The regulations for Class 4 designated rivers offers little protection for maintaining critical stream flow. ERWSCC would urge DEP to consider eliminating this classification or modifying it to ensure an increased level of protection.
3. Regarding the Eightmile in particular, we would note that the Eightmile Wild and Scenic River designation identified "Natural Hydrology" and "Water Quality" as two of six "Outstanding Resource Values" which were officially recognized as part of the Congressional designation. The proposed stream flow regulations, while not sufficient in themselves to protect these values, do assist in that effort by establishing a consistent policy and scientific basis for addressing competing demands for water. Looking forward, we expect that the Eightmile would be classified as a "Class One" river given its high quality and Wild & Scenic status but will address that question at the appropriate time.

Finally, ERWSCC would like to thank DEP and all others who have contributed time and effort to the proposed Streamflow Regulations. With the modifications suggested above, they will provide a fair and balanced approach to meet the water needs for human usage while maintaining critical stream habitats.

Thank you again for consideration of ERWSCC's comments. Please feel free to contact us with any questions or for further information.

Sincerely,

A handwritten signature in cursive script, appearing to read "Anthony Irving".

Anthony Irving, Chair

Eightmile River Wild and Scenic Coordinating Committee